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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

TAKO LLC,  
Plaintiff

v.

PARNELL COLVIN,  
Defendant

Case No.: 2:22-cv-01837-APG-NJK

**Order Remanding Case for Lack of  
Subject Matter Jurisdiction**

Defendant Parnell Colvin removed this action from state court based on federal question jurisdiction. ECF No. 1. Under 28 U.S.C. § 1331, federal district courts have jurisdiction over “all civil actions arising under the Constitution, laws, or treaties of the United States.” Colvin asserts that federal question jurisdiction exists because plaintiff Tako LLC violated his federal constitutional rights. However, Colvin’s federal defenses or counterclaims cannot create federal question jurisdiction for removal. *See* ECF No. 5 at 1 (citing cases). Consequently, I remand this case for lack of subject matter jurisdiction.

I THEREFORE ORDER that the case is remanded to the state court from which it was removed for all further proceedings. The clerk of court is instructed to close this case.

DATED this 6th day of December, 2022.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE